



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) Case No. 09cr2550-BEN  
Plaintiff, ) AMENDED ORDER OF  
v. ) CRIMINAL FORFEITURE  
SAMUEL DEE MARQUEZ (8), )  
Defendant. )

On January 25, 2010, this Court entered its Preliminary Order of Criminal Forfeiture, which condemned and forfeited to the United States all right, title and interest of SAMUEL DEE MARQUEZ (8) in the properties listed in the Forfeiture Allegation of the Indictment, namely,

- a. \$138,292 in U.S. currency;
- b. \$17,900 in U.S. currency;
- c. \$5,907 in U.S. currency; and
- d. \$5,071 in U.S. currency.

For thirty (30) consecutive days ending on February 26, 2010, the United States published on the Government's forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of the Court's Order and the United States' intent to dispose of the properties in such manner as the Attorney General may direct, pursuant to 21 U.S.C. § 853(n) and Rule G(4) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and further notifying all third parties of their right

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1      to petition the Court within thirty (30) days of the final publication for a hearing to adjudicate the  
 2      validity of their alleged legal interest in the property.

3                  On February 1, 2010, Notice of Order of Forfeiture was sent by certified mail as follows:

	<u>Name and Address</u>	<u>Article No.</u>	<u>Result</u>
5	Richard Samuel Perez, Jr. (1) c/o Stephen Patrick White Attorney at Law 101 West Broadway, Suite 1950 San Diego, CA 92101-6036	7007 2560 0001 9143 9132	Signed for as received on 2/02/10
8	Larry Edward Frank (2) c/o Anthony Edward Colombo, Jr. Attorney at Law 105 West F Street, 3rd Floor San Diego, CA 92101	7007 2560 0001 9143 9149	Signed for as received on 2/02/10
11	Lucio Gutierrez (5) c/o Herbert J. Weston Attorney at Law 378 Vista Village Drive Vista, CA 92083	7007 2560 0001 9143 9156	Signed for as received on 2/02/10
14	Luis Andaluz Hernandez (7) c/o Thomas Paul Matthews, Esq. Liberty Lawyers 1094 Cudahy Place, Suite 308 San Diego, CA 92110	7007 2560 0001 9143 9163	Signed for as received on 2/02/10

17                  Thirty (30) days have passed following the final date of notice by publication and notice  
 18      by certified mail, and no third party has made a claim to or declared any interest in the forfeited  
 19      properties described above.

20                  Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that, as a result  
 21      of the failure of any third party to come forward or file a petition for relief from forfeiture as  
 22      provided by law, all right, title and interest of SAMUEL DEE MARQUEZ (8) and any and all third  
 23      parties in the following properties are hereby condemned, forfeited and vested in the United States  
 24      of America:

- 25                  a.      \$138,292 in U.S. currency;
- 26                  b.      \$17,900 in U.S. currency;
- 27                  c.      \$5,907 in U.S. currency; and
- 28                  d.      \$5,071 in U.S. currency.

1 IT IS FURTHER ORDERED that costs incurred by the United States Marshals Service, the  
2 Drug Enforcement Administration and any other governmental agencies which were incident to  
3 the seizure, custody and storage of the properties be the first charge against the forfeited properties.

4 IT IS FURTHER ORDERED that the United States Marshals Service shall dispose of the  
5 forfeited properties according to law.

6 DATED: 5/03/10

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8 ROGER T. BENITEZ, Judge  
9 United States District Court

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